08-09-04

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/810,167	03/26/2004	Heidi Riedel	104035.274667

00826
ALSTON & BIRD LLP
BANK OF AMERICA PLAZA
101 SOUTH TRYON STREET, SUITE 4000
CHARLOTTE, NC 28280-4000

OIPE
AUG 0 4 2004
PATENT & TRADEMARK OFFICE

CONFIRMATION NO. 8342

FORMALITIES LETTER

OC000000012885630

Date Mailed: 06/07/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
  A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of $130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **$130** for a Large Entity

- **$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
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08/10/2004 BABRAHA1 00000007 10810167
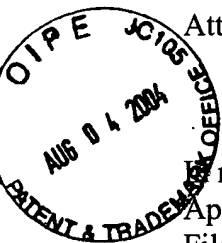01 FC:1051   130.00 OP

*A copy of this notice **MUST** be returned with the reply.*

John Ware

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Riedel et al	
Appl No.:	10/810,167	Confirmation No.: 8342
Filed:	March 26, 2004	Group Art Unit: 1615
For:	SELF-FOAMING, FOAM-LIKE, AFTER-FOAMING OR FOAMABLE COSMETIC OR DERMATOLOGICAL PREPARATIONS CONTAINING WAXES OR LIPIDS THAT ARE SOLID OR SEMI-SOLID AT ROOM TEMPERATURE	

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RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application dated June 7, 2004, enclosed are the following:

☒   Part 2 of Formalities Letter or Form PTO-1533 (Notice to File Missing Parts of Application)

☒   Declaration and Power of Attorney for the above-identified application, which has been executed by the named inventor(s)

☐   Applicant claims small entity status

☒   PTO Form 2038 authorizing the amount of 130.00 to cover the surcharge under 37 C.F.R.§ 1.16(e)

☐   English Translation and $130.00 (37 CFR 1.17(i)) fee for filing late.

☒   Other: Submittal of German Priority Document

☒   Any deficiency, additional fee, or credit may be charged to our Deposit Account No. 16-0605.

<div align="center">

Respectfully submitted,

Andrew T. Meunier
Registration No. 40,726

</div>

Customer No. 00826 **ALSTON & BIRD LLP** Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Atlanta Office (404) 881-7000 Fax Atlanta Office (404) 881-7777	"Express Mail" mailing label number EL952616835 US Date of Deposit August 4, 2004 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 Teresa Wells